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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/876,839 06/16/97 HOLT

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EXAMINER

LM02/0120

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TIEU, B

ART UNIT

PAPER NUMBER

2742

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/876,839

Applicant(s)
Holt et al

Examiner
Benny Quoc Tieu

Group Art Unit
2742



☒ Responsive to communication(s) filed on Dec 6, 1999

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-24 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-24 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Claim Rejections - 35 USC § 103

1. Claims 1-11, 13-16 and 19-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morganstein (U.S. Patent No. 5,029,196) in view of Brennan et al. (U.S. Patent No. 5,329,578).

Regarding claim 1, Morganstein teaches a method for routing a call based on the identity of an originating source of the call, comprising the steps of: maintaining a plurality of routing lists (Fig. 1, 54), each routing lists being associated with at least one originating source (Fig. 3, 82) and comprising a plurality of directory numbers (Fig. 3, 82, 84,88, and 90); receiving the call from the originating source (any number 82 of Fig. 3); selecting a routing list associated with the originating source from the plurality of routing lists (column 5, lines 24-33 and lines 45-50); and directing the call according to the routing list (column 5, lines 50-51). Morganstein teaches that the routing list comprising only one destination. However, Brennan teaches a routing list comprising a plurality of directory numbers (TABLE 2.0) and a call is directed sequentially to the directory numbers on the routing list (column 10, lines 7-22). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of a routing list comprising a plurality of directory numbers and directing a call sequentially to

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the directory numbers on the routing list as taught by Brennan into the method as disclosed by Morganstein in order to enable a caller to reach the subscriber.

Regarding claims 2 and 4, Morganstein further teaches the method wherein the selecting a routing list step comprising the steps of: detecting a directory number of the originating source (column 10, lines 58-62); retrieving an associated routing list for the directory number (column 10, lines 63-65); and retrieving a default routing list if the associated routing list does not exist (column 10, line 65 - column 11, line 2, and column 11, lines 32-46).

Regarding claim 3, Morganstein further teaches the method wherein the selecting a routing list step further comprises the steps of: requesting the originating source to provide an identification code (column 1, lines 41-45); receiving the identification code (column 1, line 46); retrieving an associated routing list for the identification code (column 2, lines 20-45); and retrieving a default routing list if the associated routing list does not exist (column 2, lines 46-58).

Regarding claims 5-7, the limitations of the claims are rejected for the same reasons as set forth in rejection of claims 1-3 above.

Regarding claims 8-10, Morganstein further teaches the method wherein the selecting a routing list step further comprises the step of selecting the routing list from a group of routing lists identified for the originating party based on the day of the week or/and the time of the day the communication is received (column 13, lines 15-18).

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Regarding claim 11, the limitations of the claim are rejected for the same reasons as set forth in claims 1 and 2 above. In addition, Morganstein teaches a system for routing calls for a personal number subscriber based on the calling line identification (CLID) of an originator, comprising: a processing unit (Fig. 1, 38); a memory storage device (Fig. 1, 54) operative to store a plurality of routing lists for the personal number subscriber, each routing list comprising a plurality of directory numbers (Fig. 3); a receiving interface device (Fig. 1, 36) and a transmitting interface device (Fig. 1, 36) coupled to the processing unit for receiving calls and placing calls, respectively; and the processing unit being operative to: receive a call (16 or 18, for example) on the receiving interface device (Fig. 1, 36), the call being directed to the personal number subscriber (Fig. 1, 24, 25, 28, and 50).. Morganstein teaches that the routing list comprising only one destination. However, Brennan teaches a routing list comprising a plurality of directory numbers (TABLE 2.0) and a call is directed sequentially to the directory numbers on the routing list (column 10, lines 7-22). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of a routing list comprising a plurality of directory numbers and directing a call sequentially to the directory numbers on the routing list as taught by Brennan into the system as disclosed by Morganstein in order to enable a caller to reach the subscriber.

Regarding claim 13, the limitations of the claim are rejected for the same reasons as set forth in claims 1 and 5 above.

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Regarding claim 14, Morganstein further teaches the computer-readable medium wherein the identifying criteria comprises a CLID message and the step of obtaining an identifying criteria further comprises receiving the CLID message (Abstract).

Regarding claim 15, Morganstein further teaches the computer-readable medium wherein the identifying criteria comprises a DTMF code sequence and the step of obtaining an identifying criteria further comprises detecting the DTMF code sequences (column 6, lines 51-57).

Regarding claim 16, Morganstein further teaches the computer-readable medium wherein the identifying criteria comprises a DTMF code sequence and the step of obtaining an identifying criteria further comprises the steps of: providing keypad menu selection options to the called party; and receiving a DTMF signal corresponding to a keypad menu selection from the called party (Figs. 2a & 2b).

Regarding claim 19, Morganstein teaches, in an integrated computer telephony system (Fig. 1) including a call routing system, a method for routing a call based on the identity of an originating source of the call, comprising the steps of: maintaining a plurality of routing lists (Fig. 1, 54), each of the routing lists being associated with an originating source (Fig. 3, 82); receiving the call from the originating source (any number 82 of Fig. 3); selecting a routing list associated with the originating source from the plurality of routing lists (column 5, lines 24-50).

Morganstein fails to teach the method that requesting the originating source to provide an identification code in order to identify the originating source for a routing list. However, Brennan teaches this feature where caller can be identified by CLID in addition by an password entered

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through DTMF (column 5, lines 33-34). The caller with the password will be treated with a special routing list such as routing caller to an operator if a subscriber cannot be reached or offer the caller with an option of pager (column 12, lines 1-37). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of password (identification code) as taught by Brennan into the method as disclosed by Morganstein in order to decide how to treat the call.

Regarding claim 20, Morganstein teaches, in a program module responsive to receiving communications for a personal number subscriber, a method for routing a communication to the subscriber, comprising the steps of: maintaining a plurality of routing lists (Fig. 1, 54), each the routing list being associated with one originating party (Fig. 3, 82); receiving a communication directed to a personal number from an originating party (any number 82 of Fig. 3); selecting a routing list associated with the personal number and the originating party (column 5, lines 24-50). Morganstein fails to teach the method that requesting the originating source to provide an identification code in order to identify the originating source for a routing list. However, Brennan teaches this feature where caller can be identified by CLID in addition by an password entered through DTMF (column 5, lines 33-34). The caller with the password will be treated with a special routing list such as routing caller to an operator if a subscriber cannot be reached or offer the caller with an option of pager (column 12, lines 1-37). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of

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password (identification code) as taught by Brennan into the method as disclosed by Morganstein in order to decide how to treat the call.

Regarding claims 21-24, Morganstein teaches, in a program module responsive to receiving communications for a personal number subscriber, a method for routing a communication to the subscriber, comprising the steps of: maintaining a plurality of routing lists (Fig. 1, 54), each the routing list being associated with a originating party (Fig. 3, 82); receiving a communication directed to a personal number from an originating party, selecting a routing list associated the originating party, and routing the call in accordance with the routing list (column 5, lines 24-44). Morganstein fails to teach the feature of based on the time of the call to route the call. However, Brennan teaches this feature where a caller makes a call the a subscriber will be routed to a location based on subscriber schedule (column 7, lines 1-15). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of subscriber schedule as taught by Brennan into the method as disclosed by Morganstein in order to enable a caller to reach a subscriber.

2. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Morganstein in view of Brennan et al. as applied to claim 11 above, and further in view of Eisdorfer et al. (U.S. Patent No. 5,706,339).

Regarding claim 12, Morganstein fails to teach the system wherein the processing unit directs the call setup request by: selecting a first directory number from the routing list; routing

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the call to the first directory number; receiving communication disposition information from the first directory number; and if the communication disposition indicates the routing step failed, selecting a next directory number from the routing list and repeating above steps at the next directory number. However, Eisdorfer et al. teaches a technique for use in processing personal telephone calls wherein a call to a personal telephone number may be routed to a sequence of telephone numbers until the call is answered or abandoned (Abstract). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of routing a call in sequence as taught by Eisdorfer et al. into the system disclosed by Morganstein in order to reach the subscriber.

3. Claims 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morganstein in view of Brennan et al. as applied to claims 1 and 5 above, and further in view of McAllister et al. (U.S. Patent No. 5,978,450).

Regarding claims 17-18, Morganstein teaches the method for selecting a routing list based on call identification telephone number (Abstract). Brennan teaches the method including identifying a caller by requiring the caller to enter a password (column 5, lines 25-46). Both Morganstein and Brennan fail to teach "a speech sample" that is used to identify a caller in order to routing the call. However, McAllister teaches a communication network comprising a peripheral to analyzes speech of a caller to identify the caller (column 4, lines 19-25). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made

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to incorporate the use of analyzing speech of a caller as taught by McAllister into the method as disclosed by Morganstein and Brennan in order to identify the caller to route the call.

Response to Arguments

4. Applicant's arguments with respect to claims 1-24 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Rosenthal (U.S. Patent No. 5,392,342) teaches a technique for use in sequentially routing personal telephone calls. Feit et al. (U.S. Patent No. 5,430,791) teaches a technique for administering personal telephone numbers. Slusky (U.S. Patent No. 5,487,111) teaches a telecommunications system sequence calling. Yue (U.S. Patent No. 5,764,747) teaches a personal number communication system. Kugell et al. (U.S. Patent No. 5,802,160) teaches a multi-ring telephone method and system. Will (U.S. Patent No. 5,905,789) teaches a call-forwarding system using adaptive model of user behavior. Will (U.S. Patent No. 5,917,891) teaches a voice-dialing system using adaptive model of calling behavior.

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6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

7. **Any response to this action should be mailed to:**

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Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or: (703)308-5403, (for informal or draft communication, please label
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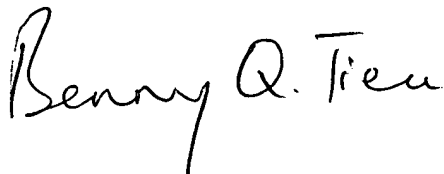
Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **BENNY Q. TIEU** whose telephone number is **(703) 305-2360**. The examiner can normally be reached on Monday through Friday from 7:00AM to 5:30PM.

The fax number for this Group is (703) 308-9051.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (703) 305-4700.

Patent Examiner: BENNY QUOC TIEU



Date: January 11, 2000.

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**KRISTA ZELE
SUPERVISORY PATENT EXAMINER
GROUP 2700**